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PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

**Attorney Docket No.** 45824-01012

**First Inventor** BROWN, DENNIS B.

**Title** MULTISPOUT FLASK WITH PUMP

**Express Mail Label No.** EL 841 168 489 US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 42]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 13]
5. Oath or Declaration [Total Pages ]
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)
    - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

## ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☒ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other: .....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No.: 09 / 770,921

Prior application information:

Examiner

N/A

Group Art Unit:

3727

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☒ Correspondence address below

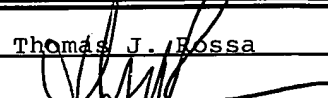
**Name** Thomas J Rossa, Esq.  
Holme Roberts & Owen LLP

**Address** 111 East Broadway, Suite 1100

**City** Salt Lake City **State** Utah **Zip Code** 84111-5238

**Country** USA **Telephone** 801-521-5800 **Fax** 801-521-9689

**Name (Print/Type)** Thomas J. Rossa **Registration No. (Attorney/Agent)** 26,799

**Signature**  **Date** May 31, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

05/31/01

11031 U.S. PTO

09/871358

09/871358

05/31/01

1031 U.S. PTO  
05/31/01

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 521.00

## Complete if Known

Application Number	
Filing Date	
First Named Inventor	BROWN, DENNIS B., et al.
Examiner Name	
Group Art Unit	3727
Attorney Docket No.	45824-01012

## METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 08-2665

Deposit Account Name: Holme Roberts & Owen, LLP

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

1. BASIC FILING FEE						
Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
101	710	201	355			Utility filing fee
106	320	206	160			Design filing fee
107	490	207	245			Plant filing fee
108	710	208	355			Reissue filing fee
114	150	214	75			Provisional filing fee
SUBTOTAL (1)						(\$ 355

## 2. EXTRA CLAIM FEES

Total Claims: 34 - 20\*\* = 14 x 9 = 126

Independent Claims: 4 - 3\*\* = 1 x 40 = 40

Multiple Dependent: ☐ = ☐

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9			Claims in excess of 20
102	80	202	40			Independent claims in excess of 3
104	270	204	135			Multiple dependent claim, if not paid
109	80	209	40			** Reissue independent claims over original patent
110	18	210	9			** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)						(\$ 166

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

3. ADDITIONAL FEES									
Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid		
105	130	205	65			Surcharge - late filing fee or oath			
127	50	227	25			Surcharge - late provisional filing fee or cover sheet			
139	130	139	130			Non-English specification			
147	2,520	147	2,520			For filing a request for ex parte reexamination			
112	920*	112	920*			Requesting publication of SIR prior to Examiner action			
113	1,840*	113	1,840*			Requesting publication of SIR after Examiner action			
115	110	215	55			Extension for reply within first month			
116	390	216	195			Extension for reply within second month			
117	890	217	445			Extension for reply within third month			
118	1,390	218	695			Extension for reply within fourth month			
128	1,890	228	945			Extension for reply within fifth month			
119	310	219	155			Notice of Appeal			
120	310	220	155			Filing a brief in support of an appeal			
121	270	221	135			Request for oral hearing			
138	1,510	138	1,510			Petition to institute a public use proceeding			
140	110	240	55			Petition to revive - unavoidable			
141	1,240	241	620			Petition to revive - unintentional			
142	1,240	242	620			Utility issue fee (or reissue)			
143	440	243	220			Design issue fee			
144	600	244	300			Plant issue fee			
122	130	122	130			Petitions to the Commissioner			
123	50	123	50			Processing fee under 37 CFR 1.17(q)			
126	180	126	180			Submission of Information Disclosure Stmt			
581	40	581	40			Recording each patent assignment per property (times number of properties)			
146	710	246	355			Filing a submission after final rejection (37 CFR § 1.129(a))			
149	710	249	355			For each additional invention to be examined (37 CFR § 1.129(b))			
179	710	279	355			Request for Continued Examination (RCE)			
169	900	169	900			Request for expedited examination of a design application			
Other fee (specify)									
*Reduced by Basic Filing Fee Paid								SUBTOTAL (3)	(\$)

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Thomas J. Rossa, Esq.	Registration No. (Attorney/Agent)	26,799
Signature		Telephone	801-521-5800
		Date	May 31, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

**BROWN, et al.**

For: **MULTISPOUT FLASK WITH  
PUMP**

Continuation of:

Serial No: 09/770,921

Filing Date: January 26, 2001

Group Art Unit: 3727

Atty. File No.: 45824-01011

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as **EXPRESS MAIL**, Label No. EL 841 168 489 US addressed to the ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC, 20231, on 5/3/2001.

Holme Roberts & Owen LLP

By: Kathy Beckstrom  
Kathy Beckstrom

**NON-PUBLICATION REQUEST**  
**(Pursuant to 37 C.F.R. § 1.213)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir/Madam:

Pursuant to 37 C.F.R. § 1.53(b), Applicants herewith submit a continuation application of  
Serial No.: 09/770,921, Filing Date: February 26, 2001.

Pursuant to 37 C.F.R. § 1.213 (2), Applicants hereby request that the accompanying  
continuation application for U.S. Patent **not be published** under 35 U.S.C. § 122(b) and  
37 C.F.R. § 1.211.

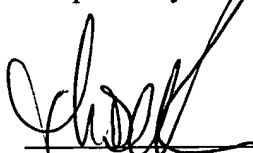
Pursuant to 37 C.F.R. § 1.213 (3), Applicants have certified that the invention disclosed  
in the accompanying continuation application has not been and will not be the subject of an  
application filed in another country, or under a multilateral international agreement, that requires

publication at eighteen months after filing. Applicants' certification accompanies this non-publication request, and is attached hereto as Exhibit A.

Please charge any fees not accompanying this communication that may be required to deposit account 08-2665.

If there are questions, the Examiner can reach Applicants' counsel at (801) 521-5800 or by e-mail at [rossat@HRO.com](mailto:rossat@HRO.com).

Respectfully submitted,



Dated this 31<sup>st</sup> day of May, 2001.

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Thomas J. Rossa, Esq.  
Registration No. 26,799  
**Holme Roberts & Owen LLP**  
111 East Broadway, Suite 1100  
Salt Lake City, Utah 84111-5233  
(801) 521-5800

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To: TFO, Inc. 43575 4 HRDFAX 303-866-0200 31-May-2001 4 Pg 2 of 2

EXHIBIT A

PATENT

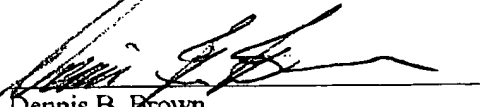
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

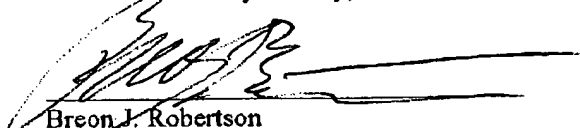
In re the Application of: )  
 )  
 **BROWN, et al** )  
 )  
 For: **MULTISPOUT FLASK WITH** )  
 **PUMP** )  
 )  
 Continuation of: )  
 Serial No: 09/770,921 )  
 Filing Date: January 26, 2001 )  
 Group Art Unit: 3727 )  
 )  
 Atty. File No.: 45824-01011 )

CERTIFICATION

Dennis B. Brown and Breon J. Robertson, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any resulting patent, declares as follows:

*the invention disclosed in the accompanying application has not been and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.*

  
Dennis B. Brown  
Dated this 31<sup>st</sup> day of May, 2001.

  
Breon J. Robertson  
Dated this 31<sup>st</sup> day of May, 2001.

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**Applicant(s): **BROWN, et al.**

Docket No.

**45824-01012**

Serial No.

**NOT YET ISSUED**

Filing Date

**NOT YET ISSUED**

Examiner

**UNKNOWN**

Group Art Unit

**3727**

Invention:

**MULTISPOUT FLASK WITH PUMP**

Utility Patent Application Transmittal; Fee Transmittal for FY 2001;  
Patent Application for **MULTISPOUT FLASK WITH PUMP**  
containing 42 pages and 13 sheets of drawings; Declaration, Oath and  
Power of Attorney; Non-Publication Request (Pursuant to  
37 C.F.R. § 1.213) and postcard

I hereby certify that this

*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under  
37 CFR 1.10 in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, D.C.

20231-0001 on May 31, 2001*(Date)*Kathy Beckstrom*(Typed or Printed Name of Person Mailing Correspondence)*Kathy Beckstrom*(Signature of Person Mailing Correspondence)*EL 841 168 489 US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**